

AMENDED IN SENATE APRIL 16, 2013

**SENATE BILL**

**No. 443**

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**Introduced by Senator Walters**

February 21, 2013

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An act to amend Section 18897 of, and to add Sections 18897.8 and 18897.9 to, the Health and Safety Code, relating to housing.

LEGISLATIVE COUNSEL'S DIGEST

SB 443, as amended, Walters. Organized camps.

Existing law requires the Director of Public Health to establish rules and regulations establishing minimum standards for organized camps and regulating the operation of organized camps that the director determines are necessary to protect the health and safety of the campers.

Existing law establishes minimum standards for the operation, regulation, and enforcement of organized camps, as defined.

The bill would include "organized resident camp," as defined, and "organized day camp," as defined, within the definition of the term "organized camp." The bill would require an "organized resident camp" and an "organized day camp" to provide written verification that the camp is accredited by the American Camp Association or the Boy Scouts of America or develop a written operating plan and file the plan with the local health officer at least 30 days prior to operation of the camp, would require submissions of an operating plan to the local health officer, would authorize the local health officer to assess related fees, and would require camps operated by a city or a county, or a city and county, to comply with applicable provisions. By imposing these additional requirements upon local health officers and cities and counties, this bill would impose a state-mandated local program.

This bill would require an organized day camp to have adequate staff to carry out the program, including, but not limited to, *compliance with specified staff training and supervision regulations* and a qualified program director present at all times during operation of the camp. The bill would exempt an organized day camp from certain construction and other standards generally applicable to organized resident camps.

This bill would require the department, in amending the rules and regulations pertaining to organized camps, to obtain the input and advice of prescribed organizations.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 18897 of the Health and Safety Code is
- 2 amended to read:
- 3 18897. (a) “Organized camp” means an organized resident
- 4 camp or an organized day camp.
- 5 (b) (1) “Organized resident camp” means a site with programs
- 6 and facilities established for the primary purposes of providing an
- 7 outdoor group living experience with social, spiritual, educational,
- 8 or recreational objectives, for at least four consecutive overnight
- 9 stays during one or more seasons of the year.
- 10 (2) “Organized resident camp” includes, but is not limited to,
- 11 a camp accredited or operated by the American Camp Association,
- 12 the YMCA, the Girl Scouts of the USA, the Boy Scouts of
- 13 America, the Camp Fire USA, the Boys and Girls Clubs of
- 14 America, the Salvation Army, and the Christian Camp and
- 15 Conference Association.
- 16 (c) (1) “Organized day camp” means a program, which may or
- 17 may not have a fixed site, that is established for the primary

purpose of providing outdoor group living experiences for children through 17 years of age, and that operates seasonally during times when school is not regularly in session. An organized day camp provides group-based recreation and expanded learning opportunities with social, spiritual, educational, or recreational objectives. An organized day camp may transport campers to parks, beaches, campsites, and other excursion locations for activities. An organized day camp may provide for up to three consecutive overnight stays.

(2) An organized day camp includes, but is not limited to, a camp that is a member of the American Camp Association, the Association for Environmental and Outdoor Education, the Christian Camp and Conference Association, the Western Association of Independent Camps, the Boy Scouts of America, the YMCA, and other similar camping associations.

(d) The terms “organized resident camp” or “organized day camp” do not include sites or programs that are used by couples or groups for counseling, religious retreats, reunions, conferences, and special events, on an intermittent short-term basis of less than four consecutive overnight stays.

(e) The terms “organized resident camp” and “organized day camp” do not include a hotel, motel, tourist camp, trailer park, resort, hunting camp, auto court, or other program or facility subject to occupancy taxes, and do not include licensed child care facilities or home-finding agencies.

SEC. 2. Section 18897.8 is added to the Health and Safety Code, immediately following Section 18897.7, to read:

18897.8. (a) An organized resident camp or organized day camp shall provide written verification that the camp is accredited by the American Camp Association (ACA) or the Boy Scouts of America (BSA) or shall develop a written operating plan and file the plan with the local health officer at least 30 days prior to operation of the camp. The local health officer shall, within 30 days, acknowledge receipt of the verification of the accreditation or the operating plan. A charge shall not be imposed for any camp accreditation acknowledgment. ~~The department~~ *local health officer* may charge a fee for the review of an operating plan, that shall not exceed the actual cost of plan review.

(1) Upon receipt of the local health officer’s acknowledgment, a camp shall post a copy of the acknowledgment in a conspicuous

1 location on the camp premises, and on the camp's Internet Web  
2 site.

3 (2) The local public health officer may inspect a camp and  
4 charge a fee for that purpose, not to exceed the actual cost of the  
5 visit. A summary and explanation of charges shall be given to the  
6 camp following the camp visit. If an inspection is not made,  
7 charges shall not be imposed on the camp other than for reviewing  
8 an operating plan, if applicable.

9 (3) A camp that has been cited for failing to meet legal  
10 requirements ~~shall have the right to~~ *may* appeal that citation to the  
11 local health department.

12 (b) If an organized resident camp or organized day camp  
13 constructs or operates educational facilities and programs that  
14 include ropes courses, challenge courses, climbing walls, repelling  
15 towers, zip lines, canopy tours, or other similar adventure  
16 challenges, the camp's written operating plan shall include all of  
17 the following:

18 (1) A provision ensuring that campers are kept separated from  
19 individuals who use these facilities on a day-use basis.

20 (2) A provision ensuring that oversight of activities is provided  
21 by camp staff.

22 (3) A provision that ensures that the construction and operating  
23 standards of those facilities and programs are in compliance with  
24 the standards established by the Director of Public Health pursuant  
25 to this part, or are in compliance with standards adopted by one  
26 or more of the following if the Director of Public Health determines  
27 that the following standards are substantially similar to the  
28 standards developed by the director under this part:

29 (A) The American Camp Association.

30 (B) The Association of Challenge Course Technology.

31 (C) Project COPE.

32 (D) An equivalent certification program.

33 (4) A written operating plan prepared pursuant to this  
34 subdivision shall be filed with the local health officer at least 30  
35 days prior to construction, and shall also be filed annually  
36 thereafter. A camp shall submit its plans and any associated fees  
37 to the local health officer by certified mail.

38 (c) An organized day camp shall have adequate staff to carry  
39 out the program, including, but not limited to, a qualified program  
40 director who has at least two seasons of administrative or

1 supervisory experience at an organized day camp or at a youth  
2 program. The program director shall be present at all times during  
3 operation of the organized day camp. *Additionally, an organized*  
4 *day camp and an organized residential camp shall meet the*  
5 *requirements of Section 30751 of Title 17 of the California Code*  
6 *of Regulations.*

7 (d) An organized resident camp or an organized day camp  
8 operated by a city or a county, or a city and county, shall comply  
9 with the relevant provisions of this part.

10 (e) Except as set forth in this section, and Sections 18897 and  
11 18897.9, the construction and other standards set forth in this part  
12 are not applicable to an organized day camp.

13 SEC. 3. Section 18897.9 is added to the Health and Safety  
14 Code, immediately following Section 18897.8, to read:

15 18897.9. The State Department of Public Health, in adopting  
16 or amending the rules and regulations pertaining to organized  
17 resident camps and organized day camps under this part, shall  
18 make reasonable efforts to obtain the input and advice of  
19 organizations in the field. All costs incurred by the participating  
20 organizations shall be borne by the organizations themselves. The  
21 department shall implement this section in the most cost-effective  
22 manner deemed feasible.

23 SEC. 4. No reimbursement is required by this act pursuant to  
24 Section 6 of Article XIII B of the California Constitution because  
25 a local agency or school district has the authority to levy service  
26 charges, fees, or assessments sufficient to pay for the program or  
27 level of service mandated by this act, within the meaning of Section  
28 17556 of the Government Code.

29 However, if the Commission on State Mandates determines that  
30 this act contains other costs mandated by the state, reimbursement  
31 to local agencies and school districts for those costs shall be made  
32 pursuant to Part 7 (commencing with Section 17500) of Division  
33 4 of Title 2 of the Government Code.